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11
12 **UNITED STATES DISTRICT COURT**
13
14 **DISTRICT OF NEVADA**

15 SNOW COVERED CAPITAL, LLC,

16 Plaintiff,
17 vs.
18 WILLIAM WEIDNER, ANDREW FONFA,
19 DAVID JACOBY, and LUCKY DRAGON
LP,
20 Defendants.

21 Case No. 2:19-00595-JAD-NJK

22
23 **STIPULATION TO EXTEND BRIEFING
SCHEDULE ON PLAINTIFF SCC'S
MOTIONS TO STRIKE THE ANSWERS
OF DEFENDANTS FONFA, WEIDNER
AND JACOBY**

24
25 SHELLY D. KROHN, Chapter 7 Trustee of
26 The LUCKY DRAGON, LP Estate,

27 Counter-claimant,

28 vs.
29 SNOW COVERED CAPITAL, LLC,
30 NELLIE LLC, 1421 CAPITAL LLC, and
31 ASSOCIATE CAPITAL, LLC,
32 Counter-defendants.

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Pursuant to LR 7-1, LR IA 601, and LR IA 602, Plaintiff Snow Covered Capital, LLC (“SCC”) and Defendants Fonfa, Weidner, and Jacoby, and Defendant Lucky Dragon L.P. (“LDLP”) stipulate and agree that Plaintiff SCC shall have up to and including **August 13, 2019** to file its reply briefs regarding its Motions to Strike the Answers of Defendants Fonfa (ECF No. 51) and Weidner/ Jacoby (ECF No. 53). This is a short (two business day) extension from the current date for such replies.

1. On April 8, 2019, Plaintiff Snow Covered Capital, LLC filed its complaint in this proceeding (ECF No. 1).

2. On June 18, 2019, Defendants Weidner and Jacoby filed their Answer (ECF No. 21) in response to the SCC Complaint.

3. On June 19, 2019 Defendant Fonfa filed his Answer (ECF No. 22) in response to the SCC Complaint.

4. On July 9, 2019, SCC filed its motions to strike the Fonfa and Weidner/Jacoby Answers. On that same day, SCC filed a motion to dismiss the counterclaims asserted by Defendant LDLP (ECF No. 50).

5. On July 19, 2019 the parties entered into a stipulation (ECF No. 56) extending the Defendants’ time for responding to the SCC motions to strike to July 30, 2019 and setting an August 9, 2019 reply date for the three motions to strike and an August 12, 2019 reply date for SCC’s motion to dismiss the LDLP Counterclaim. This stipulation was endorsed by this Court on July 23, 2019 (ECF No 57).

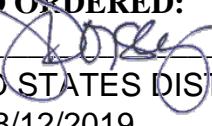
6. The Defendants all filed responses to the motion to strike on July 30, 2019 (ECF Nos. 62, 63, 64), but Defendant LDLP also filed an Amended Answer and Counterclaim (ECF No. 61) that this Court recently held (ECF No. 73, filed August 7, 2019) superseded the complaint to which SCC’s July 9, 2019 motion to dismiss (ECF No. 50) had been directed and so

1 mooted the existing SCC motion to dismiss. The same problem existed for the SCC motion to
2 strike LDLP's original answer, though that aspect of the mootness problem was not referenced in
3 the Court's August 7, 2019 minute order.

4 7. As a result of the filing of LDLP's Amended Answer and Counterclaim, a new
5 SCC motion to dismiss and a new SCC motion to strike (not just SCC reply briefs) will now be
6 required, at its earliest, on August 13, 2019.

7 8. This stipulation will allow all of the latest round of SCC motions to strike filings
8 (replies regarding the Fonfa and Jacoby/Weidner-related motions and the new motion to strike
9 LDLP's First Amended Answer and Counterclaim) to be made on the same dates, as was
10 originally intended. The task of dealing with a new motion to strike, and coordinating it with the
11 other filings, together with computer system and vacation-induced short-staffing issues during the
12 past two weeks, and as the demands of other substantial filings required between July 30, 2019
13 and the present, have made this two business day extension logical and necessary.

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16 **IT IS SO ORDERED:**

17 
18 **UNITED STATES DISTRICT JUDGE**
19 Dated: 8/12/2019

20 **STIPULATED AND AGREED BY ALL PARTIES:**

21 Dated: August 9, 2019.

22 By: /s/ Robert Hernquist
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Diamond McCarthy, and on the 9th day of August, 2019, I caused to be served a copy of foregoing Stipulation in the following manner: (ELECTRONIC SERVICE). Pursuant to Fed. R. Civ. P. 5(b)(3) and LR 5-4, the above referenced document was electronically filed and served upon all of the above-listed counsel of record through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

/s/ James D. McCarthy
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